

Message Text

CONFIDENTIAL

PAGE 01 MEXICO 08485 051852Z

47

ACTION EB-03

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FM AMEMBASSY MEXICO

TO SECSTATE WASHDC IMMEDIATE 4164

C O N F I D E N T I A L MEXICO 8485

LIMDIS

E.O. 11652: GDS

TAGS: EGEN, UNCTAD, MX

SUBJECT: U.S. VOTE ON CHARTER OF ECONOMIC RIGHTS AND DUTIES

REF: MEXICO 8484

1. I HAVE JUST SPOKEN TO MINISTER OF INTERIOR (GOVERNMENT) MOYA PALENCIA AND WENT OVER THE POINTS IN THE SAME MANNER AS WITH GALLASTEGUI AND LEFT WITH HIM A SIMILAR INFORMAL MEMO. MOYA WAS PLEASED TO HAVE THIS CONVERSATION, SAYING THAT HE HAD BEEN SOMEWHAT ALARMED AT POSSIBILITY THAT USG COULD NO LONGER SUPPORT CHARTER. HE NOW REALIZED THAT DIFFERENCES ESSENTIALLY WERE LIMITED TO ARTICLE 2 AND NEWER MORE OR LESS EXTRANEIOUS MATERIAL RECENTLY INTRODUCED.

2. REGARDING ARTICLE 2, MOYA MADE POINT THAT SUPREMACY OF NATIONAL LAW OVER CONCEPTS OF INTERNATIONAL LAW WAS SACROSANCT IN MEXICAN HISTORY AS WAS PROVEN BY ITS OWN EXPROPRIATION OF FOREIGN PETROLEUM COMPANIES.

3. AT THE SAME TIME, MEXICO RECOGNIZED INTERNATIONAL LAW AND IN FACT IN HIS OPINION PROPOSED CHARTER WAS AN EFFORT TO ENLARGE CORPUS OF INTERNATIONAL LAW. THUS, HE AGREED THAT IT WAS POSSIBLE TO CONTINUE TO
CONFIDENTIAL

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PAGE 02 MEXICO 08485 051852Z

ATTEMPT TO FIND SOME FORMULA SUCH AS THAT AGREED TO BY

RABASA/MAW OR THE BRILLANTES WORDING WHICH WOULD GIVE SATISFACTION TO BOTH SIDES. HE RECOGNIZED THAT MEXICAN DELEGATION PERHAPS HAD NOT BEEN ENERGETIC ENOUGH IN ATTEMPTING TO PERSUADE THE THIRD WORLD, BUT POINTED OUT THAT MEXICO AS THE PROPONENT WAS IN A PARTICULARLY DELICATE SITUATION VIS-A-VIS BOTH SIDES.

4. HE OBSERVED THAT IT MIGHT BE DIFFICULT TO POSTPONE VOTE BEYOND THIS SESSION OF THE GENERAL ASSEMBLY AS MEXICO DID NOT WISH TO LOSE EITHER THE MOMENTUM OR THE FRESHNESS CONNECTED WITH THIS PROPOSAL. HE RECOGNIZED THE IMPORTANCE OF NEGOTIATIONS AND POINTED OUT WITH SOME SATISFACTION HIS OWN ROLE AT THE BUCHAREST POPULATION CONFERENCE, WHERE HE CLAIMED TO HAVE WORKED COOPERATIVELY WITH AMERICAN DELEGATION AS WELL AS OTHER SIDE IN BRINGING OUT AN AGREED TEXT. HE SAID HE WOULD SPEAK TO THE PRESIDENT AND TELL HIM OF THE STRENGTH OF OUR POINT OF VIEWS ON ARTICLE 2 AND WOULD DO HIS BEST TO ATTEMPT TO GET INSTRUCTIONS TO THE MEXICAN DELEGATION WHICH MIGHT BE HELPFUL IN REACHING A MUTUALLY AGREEABLE POSITION.

5. COMMENT: WHILE HE CLAIMED TO BE UNFAMILIAR WITH ANTECEDENTS OF NEGOTIATIONS ON CHARTER, HE SEEMED TO QUICKLY GRASP THE POINTS INVOLVED. WHILE STRESSING THE STRENGTH OF MEXICO'S OWN HISTORIC POSITION ON THE SUPREMACY OF NATIONAL LAW HE WAS FRIENDLY AND CORDIAL AND SEEMED TO BE TRULY DESIROUS OF HELPING TO BRING ABOUT AN AGREEMENT WHICH MIGHT MAKE POSSIBLE A CONSENSUS ON THE CHARTER. I STRESSED TO HIM THAT THE MEMO I HAD GIVEN HIM WAS PURELY INFORMAL AND INTENDED ONLY TO GUIDE OUR CONVERSATION.
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